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In the
Supreme Court of the United States

OCTOBER TERM, 1970

No. 1170

ADAM FARKAS,
PETITIONER,

v.

TEXAS INSTRUMENTS, INC.,
RESPONDENT.

REPLY BRIEF

ADAM FARKAS
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Bristol, Rhode Island

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With a great deal of self-confidence the lawyer for the Defendant Texas Instruments, Inc., advises the Supreme Court of the United States that my petition is not worthy of hearing by this Court because I do not present a "novel point of State or federal law. . . . nor are there any other special and important reasons for granting" a hearing in my case.

Thus, I respectfully recall that the case here is an action at law for "conspiracy." My complaint specifically alleges that "The defendant Texas Instruments, Inc., conspired with the officers of the State Police and in concerted ac-

tions with the officers of the Police Department subjected me and persons connected with me to a police harassment program (continued surveillance, direct threats, etc.) in order to prevent me from obtaining work to support my family."

I do not know what the defendant's lawyer calls "special" or "important" reasons for granting a hearing by this Court. However, there is no doubt in my mind, that the overwhelming majority of Americans would find it very "important" that the U. S. District Courts and the Court of Appeals summarily dismiss complaints against Corporations which receive the help of the State Police for the harassment and blacklisting of former employees.

Insofar as the "novel point of law" is concerned the summary dismissal of my case is patterned after a most recent precedent in the case of *Seymour* v. *Parke, Davis, Inc.* wherein U. S. Chief Appeal Judge Aldrich set aside the State and federal laws for the sake of "fairness." (See the concluding statement of the Appeals Court's opinion in *Seymour* v. *Parke, Davis, Inc.*)

Therefore, I respectfully recall that Federal Statutes Title 28 U.S.C.A. Sec. 1391 and Massachusetts General Laws Chapter 223, Sec. 38 require that legal papers can be served upon any such foreign corporation in Massachusetts which has as much as one agent in the State on permanent or temporary basis with or without a usual place of business.

Now, the Defendant Texas Instruments, Inc. (Delaware Corporation) openly told to the U. S. Court of Appeals that it permanently employs NINE salesmen and SIX secretaries who acquire orders all year round in the so-called "small" sales headquarters located in Waltham, Massachusetts. (These orders exceed ONE HUNDRED MILLION DOLLARS for the yearly business volume.) Yet, U. S. Chief Judge Aldrich decided to set aside provisions in Chapter 223, Sec. 38 of the Mass. Gen. Laws

and *for the sake of "fairness"* summarily dismissed my case against the Defendant Texas Instruments, Inc. as if NINE permanent salesmen and SIX secretaries employed year round in Massachusetts would not constitute enough "doing of business" to permit "personal jurisdiction" over the Corporation which operates this sales organization. There is no need to elaborate here on what it means to set aside a law for the sake of "fairness." We know about setting aside of judgments and suspension of sentences. But, I suspect that setting aside the law is a "novel" and dangerous aspect of the judiciary process.

Insofar as the Attleboro, Massachusetts operations of the Defendant, Texas Instruments, Inc., and service of legal papers upon the Defendant is concerned we have discovered probably the largest Corporate fraud in the history of the United States of America. From the year 1966 to the year 1970 the one and only Texas Instruments, Inc., legally registered to do business in the State of Massachusetts was the Massachusetts corporation at 225 Franklin Street in Boston, Mass., with total assets of THREE DOLLARS. (See page 15, Petition for Writ of Certiorari) During the same time period (1966-1970) the Texas Instruments, Inc. Delaware corporation was employing over 5,000 persons in its 3/4 million square feet of manufacturing facility at Attleboro, Mass. (See Appendix A — aerial photograph reproduced from the Texas Instruments, Inc. Delaware corporation Report for 1966-1967. Also copies of newspaper advertisements offering employment in Attleboro, Mass. (Page 18, Petition for Writ of Certiorari). The official corporate releases which show the pictures of the leading corporate officers presiding over $65,000.00 proceeds collected from donation by the employees of Texas Instruments, Inc. Delaware corp. in Attleboro, Mass. (Page 17, Petition for Writ of Certiorari)

One can understand of course that an attorney for a defendant will do his best to help his client. Still, it is shameful that an attorney now leads the U. S. Supreme Court into believing that during the years between 1966-1970 the legal registration of the Texas Instruments (Massachusetts Corporation) having total assets of three dollars in Boston, Mass. can account for the activities of the Texas Instruments, Inc. (Delaware Corporation) having 3/4 million square feet of manufacturing facilities and several thousand employees in Attleboro, Mass.

Finally on page 6 of his brief the attorney for the defendant is objecting to the pieces of evidence and to the statement of my case which I present before this Court. But, nowhere in his brief does the defense attorney deny that his client subjected me and persons connected with me to harassment and Blacklisting with the help of the State Police*. In all sincerity could the defendant's attorney advise the Supreme Court of the United States that for several years his client the Texas Instruments, Inc. (Delaware Corporation) engaged in concerted actions with State Police in order to prevent me from obtaining work for a living?

Conclusion

It is my sincere hope that regardless of any argument on service of legal papers the Supreme Court of the United States shall decide that my complaint alleging damages which are caused by the defendant's concerted actions with the State Police must receive proper trial as long as the Fourteenth Amendment of the present U. S. Constitution has the force and effect of law.

Respectfully submitted,

ADAM FARKAS
Pro Se

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* See the sworn testimony of Dallas Police Lt. Elmo Cunningham.

Appendix A

Page 33 of Texas Instruments, Inc., (Delaware Corporation) Official Corporate report for the year 1966–1967.

Metallurgical products, control components and energy conversion systems are made in the 750,000-sq ft Attleboro, Mass., plant.